

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. James Zevantron Johnson

Docket No. 4:12-CR-6-1F

Petition for Action on Supervised Release

COMES NOW Michael W. Dilda, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, James Zevantron Johnson, who, upon an earlier plea of guilty to Felon in Possession of a Firearm and Ammunition, in violation of 18 U.S.C. § 922(g)(1) and 924, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge on September 4, 2012, to the custody of the Bureau of Prisons for a term of 41 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

James Zevantron Johnson was released from custody on February 11, 2015, at which time the term of supervised release commenced. On April 10, 2015, a Violation Report was filed with the court advising the defendant tested positive for marijuana on February 25, 2015. The court agreed with the probation officer's recommendation to have Johnson enroll in substance abuse counseling and continue supervision.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant was instructed to report for monthly office visits, which also would include monthly urinalysis testing. Johnson failed to report for office visits/urinalysis tests in November 2015, December 2015, and February 2016. Additionally, on January 29, 2016, the defendant provided a urine sample that was submitted for laboratory analysis. On February 6, 2016, laboratory analysis revealed positive results for marijuana. On March 9, 2016, during an office visit, Johnson was confronted with the positive results and admitted to using marijuana on approximately January 26, 2016. Johnson also provided a urine sample on March 9, 2016, and admitted to using marijuana approximately two weeks prior to the test. Subsequent local laboratory analysis confirmed positive results for marijuana on March 9, 2016. Johnson has agreed to return to substance abuse counseling. As sanctions for this violation conduct, confinement of 5 days in the custody of the Bureau of Prisons is recommended, along with participation in the DROPS Program, which shall begin at the second use level. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days; the defendant shall begin the program at the second use level.
2. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 5 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Michael W. Dilda
Michael W. Dilda
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2342
Executed On: March 18, 2016

ORDER OF THE COURT

Considered and ordered this 22 day of March, 2016 and ordered filed and
made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge